

1 Abuse Treatment Facility and State Prison (“CSATF”) in Corcoran, California in 2008 or 2009.¹
2 Thus, the Court will issue a subpoena for service at CSTAF.

3 Plaintiff is notified that for LVN M. Hankins, he must serve a money order in the amount of
4 \$111.08, made payable to her and serve it along with the subpoena which will issue following the June
5 6, 2013, Pretrial Confirmation Hearing.² As Plaintiff is not proceeding *in forma pauperis* it shall be
6 Plaintiff’s responsibility to arrange for service of the subpoena along with the money order. *Service of*
7 *the subpoena is not effective unless payment of the witness fees is tendered at the time of service.*

8 **ORDER**

9 1. The motion to subpoena unincarcerated witness to jury trial (Doc. 144) is **GRANTED**;

10 2. The Clerk of Court is **DIRECTED** to issue a signed subpoena requiring the attendance
11 of LVN M. Hankins at trial on July 23, 2013 at 8:30 a.m. at the United States Courthouse located at
12 510 19th Street, Bakersfield, CA;

13 3. Plaintiff SHALL arrange for service of the subpoena and is reminded that he must serve
14 a money order made out to M. Hankins in the amount of \$111.08 along with the subpoena issued by
15 the Clerk of the Court on M. Hankins.

16
17 IT IS SO ORDERED.

18 Dated: May 24, 2013

19 /s/ Jennifer L. Thurston
20 UNITED STATES MAGISTRATE JUDGE

21
22
23
24
25
26 ¹Plaintiff indicates that LVN M. Hankins was last a defendant in McElroy v. Cox, Case No. 1:08-cv-1221-LJO-
27 GSA-PC (E.D. Cal. 2012). The Court notes that the cause of action in McElroy also arose while LVN M. Hankins was
employed at Kern Valley State Prison in 2007. Thus, McElroy does not instruct as to LVN M. Hankins’ current location.

28 ² The daily witness fee of \$40.00, plus \$71.08 for round trip mileage for one day. 28 U.S.C. § 1821. It is 125.8
miles, round trip, from CSTAF to the U.S. District Court in Bakersfield, California, and the 2013 mileage reimbursement
rate is 56.5 cents per mile.